

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 2 1994

Returned to applicant for correction AUG 2 1994

Corrected application filed Map filed AUG 12 1994

The applicant Pegasus Gold Corporation
North 9 Post Street of Spokane
Washington 99201 City or Town
State and Zip Code No. hereby make application for permission to change the
point of diversion, manner of use and place of use of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under permit #57098
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 56.77 MGA @ 0.5 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for mining, milling, domestic and dewatering
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining, milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T.31N, R.33E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M. or at a point bearing N74° 17' 43" E. from the SW corner
distance to a section corner. If on unsurveyed land, it should be stated.
of Sec. 2 a distance of 967.4 feet.
- The existing permitted point of diversion is located within SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 1) Sec. 3, T.31N, R.33E.,
If point of diversion is not changed, do not answer.
M.D.B. & M. or at a point from which the southwest corner of Sec. 3,
T.31N, R.33E, M.D.B. & B. bears south 18 degrees West a distance of
3420 feet
- Proposed place of use Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 37, 38, 39, T.31N., R33E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
and a portion of the south $\frac{1}{2}$ of section 34, T.32N., R.33E., M.D.B. & M.
- Existing place of use Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 37, 38, 39, T.31N.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R.33E., M.D.B. & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) water will be pumped from the sump on
State manner in which water is to be diverted, i.e. diversion structure,
each bench to water trucks to be used for dust suppression and other
ditches, pipes and flumes, or drilled well, etc. mining.
- Estimated cost of works \$10,000.00
- Estimated time required to construct works existing

14. Estimated time required to complete the application of water to beneficial use.....one year.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This is for our pit sump. We encountered a small amount of water
which we expect to pump for less than one year. The sump will move
through-out the $\frac{1}{4}$ section as the face advances.
Also see the existing map under 48996.

By S./Joyce M. Muir
P.O. Box 330
Imlay, NV 89418

Compared jr/vjw jr/vjw

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This Temporary permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 57098 is issued subject to the terms and conditions imposed in said Permit 57098 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48997, Certificate 13237; 48998, Certificate 13238; 48999, Certificate 13239; 49931, Certificate 13240; 53342, Certificate 13245; 57096, 57097, 57098, 60314-T, 60324-T, 60325-T, 60326-T, 60327-T, 60328-T and 60329-T shall not exceed 268 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 56.77 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 1st day of December

A.D. 19 94

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

The issuance of this permit will allow the point of diversion of the sump to move within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.31N., R.33E., M.D.B. &M.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this sump and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 30, 1995 at which time all rights herein granted shall revert to the right being changed by this temporary permit.